

Port of Silverdale – Minutes of Regular Meeting on May 21, 2020

Port of Silverdale

Minutes of Regular Meeting
May 21, 2020

Due to the COVID-19 Virus and Governor Inslee's Proclamation 20-05 the meeting was being held virtually through the ZOOM application. Notice of the meeting change was posted on the Port's website – portofsilverdale.com.

1. CALL TO ORDER

Commission Chairman Henry Aus called the meeting to order at 7:05 PM. Also in attendance were Commissioner Caleb Reese; Commissioner Ed Scholfield; Attorney Phil Best; Administrator, Theresa Haaland; Lee Knapp of TIKAR Services; Kathleen Byrne-Barrantes of Grant Solutions; Bridget Burke of Clam Island Rowing (CIR); John Bouck and Greg Jacobs of Kitsap Sailing and Rowing Foundation (KSRF); Victoria Lincoln of the Washington Public Ports Association (WWPA); and Nick Reynolds of the band "Redemption."

2. CONSENT AGENDA

Commissioner Scholfield moved to approve the first three items on the Consent Agenda: May Meeting Agenda; April 16, 2020 Regular Meeting minutes as submitted; and the May 21, 2020 checks numbering 12419 through 12439 totaling \$38,072.67 as outlined in the attached voucher approval and the authorization for electronic transfer of payroll taxes; second by Commissioner Reese; approved unanimously.

Commissioner Reese moved to approve items four and five of the Consent Agenda: Resolution 2020-05 Adopting Purchasing Policies and Procedures for Public Works and the amendment to Kathleen Byrne-Barrantes, Grant Solutions, Inc. contract;

second by Commissioner Scholfield; approved unanimously.

Item six of the Consent Agenda: Resolutions 2020-06 ALEA and 2020-07 WWRP were discussed. The Commissioners had a chance to review the grant applications that Ms. Byrne-Barrantes had prepared to this point via email. Commissioner Reese questioned the finger slips that were included in the application for the non-motorized floating moorage facility. It was his understanding that it was just going to be a dock not finger piers. Ms. Byrne-Barrantes said that it was one of the options within the Port's Comprehensive Plan, but at this point the application can be changed and updated up until about August 5th as the technical completion deadline is August 8th. Ms. Byrne-Barrantes said that she thought the ALEA grant was the better grant for the Port, but that WWRP can offset the required matching funds. Due to COVID-19 the Recreation Conservation Office (RCO) has postponed the deadline of the preliminary application from May 1st to June 1st and reduced the required matching funds from fifty percent to twenty-five percent. Resolution 2020-07 included enhancement of pedestrian areas and expansion of trail linkages. Commissioner Scholfield said that he didn't know where a trail would be placed because nothing can go in the wetlands. Ms. Byrne-Barrantes said that the Comp Plan shows it, but maybe it should not be included at this time. Commissioner Reese said that it may fit with the pump station upland project, but doesn't seem to fit with this project. The Commissioners agreed that the trails portion of the grant application should be removed. Commissioner Reese said the main items for

Port of Silverdale – Minutes of Regular Meeting on May 21, 2020

the grant are the dredging, the non-motorized pier and upgrading the power on the existing finger piers. Greg Jacobs said that when he went with Phil to Olympia for the sailboat float grant, the RCO seemed very interested in wheelchair capability to the facility. He said that tying it all together would make sense. It was agreed having an American with Disabilities Act (ADA) accessible facility is important. Commissioner Scholfield suggested the Port hold a Special Meeting the first week in June to further discuss. Bridget Burke clarified that the new non-motorized pier would be aimed more towards kayaks and shells. The sailboat float is for sailboats as the freeboard is a bit too high for the other non-motorized watercraft. Ms. Byrne-Barrantes had several questions about the project. Commissioner Scholfield said that the Port will need to hire an engineering firm to come up with an actual design. Ms. Byrne-Barrantes said that she will keep the current information on the applications as placeholders for the June 1st Preliminary Application deadline and update the information as it becomes available prior to the August 10th Technical Completion deadline. *It was agreed to adopt Resolutions 2020-06 ALEA Develop #20-1819 Expand Non-Motorized and Motorized Float Facilities and 2020-07 WWRP WA #20-1821 Expand Non-Motorized and Motorized Float Facilities as amended* (motion by Reese; second by Scholfield; unanimous).

3. SIGNING OF DOCUMENTS

Commissioners will individually stop by the Port office tomorrow to sign documents.

4. UNFINISHED BUSINESS

4.1. Port Facilities

a. Electrical repair – the power remains off to the floating moorage facility and upgrading the electrical will be included in the grant applications.

b. Closure – since the Governor lifted day use of State Parks, including fishing, TIKAR was tasked with installing the boat launch handling pier and opening up the restrooms. The facility has remained closed to non-boaters. Safe Security was hired to provide service on May 9th and 10th as the weather was very warm and was sure to draw the public. An e-mail dated May 12, 2020 from Michael Braun was reviewed. Mr. Braun asked that the Commissioners “stop the madness” and reopen the dock to the public in general. Commissioner Scholfield questioned how the Port would monitor it to ensure the public are socially distancing themselves. Commissioner Reese said that he was concerned about that too. Commissioner Scholfield said that the Port has an obligation to boaters as it was non-refunded boating gas tax that was used to help pay for the facility. The Commissioners agreed to continue to keep the facility closed to non-boaters and have Safe Security continue their efforts and ask non-boaters to move along.

c. Sea Plane Crash/Small Claims – the Notice of Claim has been filed with District Court (Case #20SC00074) with a July 8, 2020 court date. The Notice of Claim was scanned into the Port’s computer and sent via e-mail to the sheriff’s office for process service. It cost \$96.71 and was charged to the Port’s Visa card. The sheriff should deliver it to Mr. Gotschall within the next two weeks.

d. Olympic Outdoor Center (OOC) – John Kuntz had stopped by the Port office last week. He said he would follow-up with an e-mail to the Port, but it has not yet been received. He realized that the pier and moorage facility was

Port of Silverdale – Minutes of Regular Meeting on May 21, 2020

closed to non-boaters and had mentioned possibly using a couple of the parking stalls like his business did prior to the building be constructed on the pier. This was discussed and agreed that if he decides to use the parking stalls, he will need to remove the building on the pier. Commissioner Scholfield said that OOC customers will be considered boaters, so will be allowed on the pier and moorage facility, but that Mr. Kuntz will be required to monitor his employees and customers and ensure they are all following the social distancing guidelines and other guidelines for small businesses.

4.2. Port Properties

a. Reduction in Rent – four out of the twelve Port tenants notified the Port that they have received some sort of financial Government assistance. *It was agreed to continue the seventy-five percent rent reduction for June to tenants that qualify* (motion by Reese; second by Scholfield). Discussion: two of the four tenants informed the Port that the assistance they received covers rent for May and June and questioned if they will be expected to reimburse the Port for the April reduction. It was agreed that if they received a reduction for a certain month then it should be used for that particular month and if no assistance was received for a month such as April then they wouldn't be required to reimburse the Port for that timeframe. The tenant of 3295 Lowell, Tina Abeel, called the Port office. She explained that they are struggling and have received no financial assistance other than the Port's temporary reduction in rent. She is concerned that even when things do open up her vocal studio and her husband, David's, Taekwondo studio will continue to suffer as the fear associated with this pandemic is sure to keep the public from such activities. Notice was received from Cheryl Bouck, tenant at 3421 Byron Street that she plans to close her business, Bilingue and

will not be renewing her lease. The current lease is through June 30, 2020.

b. 3215 Lowell/Suite191 is empty and TIKAR has wiped everything down so it is ready to be advertised.

Commissioner Reese said that he had been approached by a hair stylist that is in need of a small space for just one chair. He asked if suite 191 could accommodate that. Commissioner Scholfield said that it would not work because there is no water directly in the unit.

c. 3295 Lowell/Abeel Studios – TIKAR provided an estimate for the repair of the outer southside of the building. Mike with MTV Home Repair was asked if he was interested in bidding the job, but he was not. With the updated Public Works Resolution being adopted and the job being estimated well under the \$40,000 threshold the job can just be completed without going out to bid. Also, it needs to be completed in a timely manner because the door that gets stuck from the damage of the outer wall is a fire exit. Lee said that if TIKAR is hired to complete the work it will billed as time and material through the current contract TIKAR holds with the Port, which is beneficial to the Port. *It was agreed to hire TIKAR Services to complete the repair of the outer south wall at 3295 NW Lowell Street on a time and material basis as outlined on TIKAR's estimate 2020-1066* (motion by Scholfield; second by Reese; unanimous).

d. 9004/9020 Washington/DRC/Elizabeth's House of Wax – TIKAR has fixed the ongoing sewer issue using the old pipe from under the street, which can be connected to the new sewer pipe when the County completes the Bayshore/Washington upgrade project. Lee reported that they removed the bad sections of the pipe and installed more cleanouts. He said that this project was a good example of a time

Port of Silverdale – Minutes of Regular Meeting on May 21, 2020

and material project that was beneficial to the Port. If it would have been bid on it would have been at least twice the cost.

3. Grant funding – already covered.
4. Whaling Days is officially cancelled due to COVID-19.
5. Father's Day Car Show 2020 is officially cancelled due to COVID-19.

5. TABLED ITEMS

- 5.1. Port Programs
 - a. Sailing
 - b. Rowing
- 5.2. Port Facilities
 - a. Department of Natural Resources (DNR)
 - b. Dredge
 - c. Benches
- 5.3. Port Properties
 - a. 9020 Washington/Elizabeth's House of Wax
 - b. 9004 Washington/DRC
 - c. 3330 Lowell Street/Sugar Studios
 - d. 3295 Lowell Street/Abeel Studios
 - e. 3215 Lowell Street, Suite 161/Bob Guardino
 - f. 3421 Byron/Bilingue
 - g. 3425 Byron/Kitsap Art Center
- 5.4. Paving of alley
- 5.5. Waterfront Center Predesign Project – workshops
- 5.6. Benefits
- 5.7. Barred Brewing Company

Phil reported that he received an e-mail from Lakeside Industries, the company that was awarded the bid to pave the alley (Item 5.4). Craig from Lakeside also called the Port office and his number was given to Tim of TIKAR. The permit is still not in place. Phil originally worked on the permit, but then it was decided to reduce the amount of square footage to be paved otherwise the required permits were

going to be cumbersome. Lee was asked if he would be willing to apply for the permit. He said he would need to talk to Tim about it first and will let the Port know. Commissioner Reese said that he had heard that Barred Brewing will not be reopening.

6. NEW BUSINESS

6.1. A letter dated April 26, 2019 from the Kitsap County Prosecuting Attorney was received. It notified the Port that Trever Ray Mercer, the individual that broke into the Old Town Pub and caused damage has pled guilty to Burglary in the Second Degree. The Prosecuting Attorney wants to discuss the \$8,000 in restitution the Port had initially requested in the Victim Impact Statement/Restitution Estimate. A call has been placed to the Prosecutor's office and a message was left.

6.2. Nick Reynolds of the band "Redemption" called the Port office to ask if his band could perform on the pier to entertain boaters at the Port facility. Mr. Reynolds was in attendance at the ZOOM meeting, but had audio issues and was unable to communicate to the Board. Commissioner Scholfield said that it couldn't happen anytime soon due to COVID-19. It was agreed it would be sure to draw a crowd. Carla Larson said that since everything else has been cancelled it doesn't make sense to allow it. The Commissioners agreed that it would have to be postponed to maybe sometime in the future, but not anytime soon. Mr. Reynolds although unable to verbally communicate, shook his head in disagreement.

6.3. An e-mail dated May 13, 2020 from Connor Watson, realty specialist for the Navy, was reviewed. Mr. Watson asked permission from the Port to allow the U. S. Navy to use the Port facilities for Navy Seal Team training. If

Port of Silverdale – Minutes of Regular Meeting on May 21, 2020

agreed to the Navy would require the Port to enter into a Right of Entry (ROE) Agreement. Commissioner Scholfield explained that the Navy has been using the facilities for many years without any issues. Apparently, they received a complaint from a resident in a different location that they use and have since been asking permission. Phil explained that he reviewed the agreement and found the language used within it to be very broad. He suggested the Port talk further with Navy personnel on what they want to do so that the language within the agreement can be a bit more restrictive in the description.

Commissioner Reese said that he would be concerned that it may limit the public and boater's use of the facility. The letter that was sent with the agreement was read. Phil said that the letter was more restrictive than the actual agreement. Commissioner Scholfield said that the Port should be able to change the agreement so that it is worded in a way that the Commissioners are comfortable with. He asked that it include a clause stating the agreement could be terminated by either party at any time. Commissioner Aus agreed. Phil will reach out to Mr. Watson and explain to him that the Port wants to work with the Navy, but there is some concern about the wording within the ROE agreement.

6.4. Budget Review Report was discussed. It was agreed that all costs associated with the Oil Separator Lid Replacement Project should fall under 773.50 Property Improvements.

Commissioner Scholfield reported that the County's Bayshore/Washington Project is going to include a huge trench located near the Port's current fiber optic line that goes to the pier. He questioned if he should just pull the

line until construction is complete, which will probably cause the Port to have about six months without connectivity. Phil asked if an analog link would work. Commissioner Scholfield said that he will work on the wireless link from the Port office to the pier.

Bridget Burke of CIR asked if Tim or Lee could help move the oars to the boat yard. Lee offered to contact Ms. Burke this weekend. Ms. Burke explained that the CIR Board is considering going back on the water with the adults on single shells only once Kitsap County is in Phase II of the reopening. They plan to follow the social distancing guidelines, but first wanted to make sure that the Commissioners were okay with that, since it is all Port equipment. Commissioner Reese said that he didn't have a problem with that as long as social distancing is in place. He said that the other day he noticed a group of sailors down on Port property and they were not following the social distancing guidelines. John Bock of KSRF said that it wasn't the sailing club because they have not been meeting and the Board has been clear to its members about it. Since KSRF deals primarily with younger people it is unlikely that they will do any sailing until Kitsap County is in Phase III. They haven't yet been able to determine an appropriate sanitation system for the lines and ropes that everyone is onboard with. Ms. Burke said that the group of sailors was not part of KSRF. She said that CIR would be very interested in renting the 3421 Byron Street property once they begin working out together again as it would be an ideal spot for them. CIR plans to paint a portion of the asphalt in the boatyard in an effort to keep things organized. Lee suggested they use an acrylic

Port of Silverdale – Minutes of Regular Meeting on May 21, 2020

paint when painting asphalt. Ms. Burke said that they still don't have their middle shell rack, although she does have a rack at her house, but is in need of a flatbed truck to haul it. Ms. Larson suggested she contact Kitsap Towing and let them know it's for kids. Ms. Burke took note. She said that the status of the summer program for summer camps is unknown at this time, but hopefully will know more next month. She asked if the non-motorized boat storage lot could be more formalized. For various reasons she will periodically receive a call from individuals who have their non-motorized watercraft in the lot. At one time there was discussion about numbering the spots so that everyone is aware of the area they are entitled to use. The way it is right now it is hard to tell what goes where and there are times that one vessel may block another, which is a problem. She said she will talk with Port staff outside of a meeting about it further.

Victoria Lincoln with the WPPA informed the Commissioners of the WPPA sponsored roundtable discussions via ZOOM every Tuesday. The discussions cover lots of subjects and have proved to be beneficial. These discussions are via ZOOM and questions can be submitted through the chat feature. Ms. Lincoln said that now WPPA personnel can easily attend Port meetings and hear what is of interest. The WPPA has found this to be very beneficial as it gives them new insight and ideas for future meetings and/or training. Phil explained that he has been attending several of the roundtable discussions and has found it to be very worthwhile. Commissioner Reese said that he too has been attending some of the meetings, but hasn't been receiving the notifications lately. Ms. Lincoln said that all the

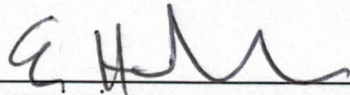
past discussions can be found on the WPPA's website.

9. EXECUTIVE SESSION – None.

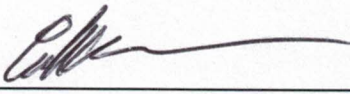
10. ADJOURN

At 8:59PM the meeting adjourned (motion by Aus; second by Reese; unanimous).

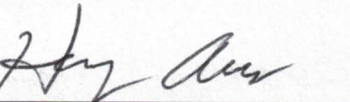
Approved:



Commissioner



Commissioner



Commissioner

